

FROM :

FAX NO. :4162479124

May. 15 2006 09:19PM P1

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MAY 15 2006

**Fax Message**

**Date: May 15, 2006**

**To: USPTO**

**From: Bill Jamieson**

**Message: Resubmission of amendment from 12/7/2005**

**Total pages including cover page: 14** *16*

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MAY 15 2006

Date: May 15, 2006

To: Jessica Laux

From: William Maurice Jamieson

Re: Application No.: 10/628,100

Art Unit: 3635

Message:

I recently received notification that my application for a patent was abandoned for failing to respond to the Office letter dated September 12, 2005 within the three (3) month response period.

I had a telephone interview with Roland Bergeron and immediately sent my amendment to your office. I received a fax confirmation on 12/7/2005 at 1:43 pm EST that my amended application did in fact arrive at your office prior to the expiration of the three (3) month response period. My amended response to your letter consisted of a total of twelve (12) pages including the cover page.

Your letter comes as a total shock to me as I was expecting the patent to be granted as opposed to being abandoned. I would like an explanation for this and also request information as to how I should proceed. I am enclosing a second copy of my amended application and expect some feedback regarding same.

I hope you can appreciate how this is impacting me at this point. Please keep me informed as to the status of my application.

Yours truly,



William Maurice Jamieson

FROM :

USPTO

FAX NO. : 4162479124

12/7/2005 1:07 PM PAGE

1/001

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Fax Server

Auto-reply fax to 4162479124 COMPANY:

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## Auto-Reply Facsimile Transmission

MAY 15 2006



TO:

Fax Sender at 4162479124

Fax Information

Date Received:

Total Pages:

12/7/2005 1:00:43 PM [Eastern Standard Time]

12 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received  
Cover  
Page

=====>

FAX :

FAX NO. 4162479124

DATE: 07 MAY 01:04PM P5

### FAX MESSAGE

Date: December 7, 2005

To: USPTO

From: Bill Jamison

Message: Amendment to Application No. 10/628,100 enclosed

Total Pages including Cover Page: 12

PAGE 5/17 \* RCVD AT 12/7/2005 1:00:43 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-3/20 \* DNIS:2738300 \* CSID:4162479124 \* DURATION (mm-ss):07:48

FROM :

FAX NO. :4162479124

May. 15 2006 09:21PM P6

## FAX MESSAGE

**Date:** December 7, 2005  
**To:** USPTO  
**From:** Bill Jamieson  
**Message:** Amendment to Application No. 10/628,100 enclosed

**Total Pages Including Cover Page:** 12

FROM :

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May. 15 2006 09:21PM P4

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MAY 15 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,100	07/28/2003	William Maurice Jamieson		4295

7590 04/28/2006

WILLIAM MAURICE JAMIESON  
2 FOX POINT  
TORONTO, ON M6M 382  
CANADA

EXAMINER

LAUX, JESSICA L

ART UNIT PAPER NUMBER

3635

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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MAY 15 2006

<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	10/628,100	JAMIESON, WILLIAM MAURICE	
	Examiner	Art Unit	
	Jessica Laux	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12 September 2005.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

*JS*

*USP*  
N. Slack  
Primary

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office